8439402/2024/VIG-VI-PRR01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public services - Departmental Proceedings against Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as Extension Officer, PRRD., Hukumpeta (M), Visakhapatnam District under the provisions of Rule 20 of AP Civil Services(CCA) Rules, 1991 - Articles of Charge – Issued

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.VI) DEPARTMENT

G.O.Rt.No.58

Dated: 18/01/2024
Read the following:-

1. From the Director General, G.A.(V&E) Department, Vigilance Report No.21 (C.No.1096/V&E/ENGG/2018), dated 19.07.2022.
2. G.O. Rt. No.54 , PR&RD(VIG.VI) Dept, dt:18.01.2024.

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ORDER:-

It is proposed to hold an inquiry against Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as E.O.PR&RD., Hukumpeta (M), Visakhapatnam District in accordance with the procedure laid down in Rule 20 of the APCS (CCA) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as Extension Officer PR&RD., Hukumpeta (M), Visakhapatnam District is directed to submit within 10 days of the receipt of this Memorandum a written statement of his defence.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore specifically admit or deny each article of charge.

5. Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as Extension Officer Panchayat Raj & Rural Development, Hukumpeta (M), Visakhapatnam District is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rules 20 of the APCS (CCA) Rules, 1991, or the orders/directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him exparte, based on the material available on record.

6. Attention of Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as Extension Officer, Panchayat Raj & Rural Development., Hukumpeta (M), Visakhapatnam District is invited to Rule 24 of the A.P. Civil Services (Conduct) Rules 1964, under which no

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Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from any person in respect of any matter dealt within these Proceedings, it will be presumed that Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as Extension Officer, PR&RD., Hukumpeta (M), Visakhapatnam District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the A.P. Civil Services (Conduct) Rules 1964.

7. The receipt of the proceedings shall be acknowledged along with Annexure-I, II, III & IV.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, now working as Executive Officer Panchayat Raj & Rural Development, Hukumpeta (M), Visakhapatnam District (we) through the CPR&RD, Tadepalli, Guntur District.
The CPR&RD, Tadepalli, Guntur District (in duplicate with a request to obtain and furnish the dated acknowledgment of the orders)

Copy to:
The Secretary, APVC, Secretariat Building-5, Velagapudi.
The Director General, GA(V&E) Department.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLE OF CHARGE FRAMED AGAINST SRI P. UMA MAHESWARA RAO, THE THEN PANCHAYAT SECRETARY, SARIKA GRAM PANCHAYAT, VIZIANAGARAM MANDAL, NOW WORKING AS EXTENTION OFFICER (PR&RD)., HUKUMPETA (M), VISAKHAPATNAM DISTRICT

CHARGE:

That Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, Vizianagaram Mandal, now working as Extension Officer (PR&RD)., Hukumpeta (M), Visakhapatnam District has failed to obtain Administrative sanction of the following civil works up to 2.00 lakhs in Sarika Gram Panchayat as per the G.O.Ms.No. 91/PR&RD (Estt.III) Department, Dt:04-03-1999. He allowed payments to the contractor for the works sanctioned based on Gram Panchayat Resolution.

S. No	Name of the Work	Estt. Cost(in lakhs)	M.Book No.
1	Extension of pipeline of PWS Scheme from S.Appalanaidu's house to Telagalaveedi; Bogi veedi to Ramalayam; Pettaveedi to Saddi Eswararao's house; UP school to Ramalayam; Ramalayam to stage; Stage to Ambedkar statue; Panchayat office to Church,	2.00	7714-A. Pg No. 35 to 39
2	Extension of pipeline and single tap points of PWS scheme from Ambedkar statue to PS office; Anjineyya temple to Suvvada Venkatarao's house; Maridi Suri's house, Palli Suri's house to Kalinti's house; Dammu Thavudu house to Reddi Suribabu's house: Kotta Apparao's house to Open well; P.Paidiraju's house to Bogi Ramu's house: Majji Apprao's house to G.Suribabu's house; G.Suribabu's house to Y.Sanyasamma's house; Y.Suribabu's house to Open well school inside; Kamarapu Apparao's house to school building; K Apparao's house to Dillirao's house; Bogiveedi to Medlapuram.	2.00	7714-A, Pg No. 40 to 45
3	Augmentation of PWS scheme from Kamarapu Apparao's house to School back side; veppadapu jaggayya's house to pentappadu's house; Althi Yeramma's house to Suvada Srinu's house; Suvada Srinu's house to Boduvada Gowrinaidu's house; Rama temple to School end; School end to Main Road; Suvada Sathish's house to G.Ganesh's house	2.00	7714-A, Pg No. 5 & 6
4	Extension of pipelines of PWS scheme at various places 1.e., Majji Appalanaidu's house to K.Payadayya's house; K.Payadayya's house to Suvvada Venkatarao's house; Sadaka Suribabu's house to S.Paidamnaidu's house: Kooraku Papayya's house to Santhamma's house; P.Appalanaidu's	0.95	7715-A, Pg No. 2 & 3

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	house Suryanarayana's house end; Entrance School inside main road; Suvvada Raju's house to Suvvada Kishore's house; G.Ganesh's house to S.Sattibabu's house		
5	Providing single tap points of PWS Scheme at various places i.e., K.Papayya's house to 5 K.Sanyasamma's house; R.Ramulamma's house to Ambedkar statue: Ganesh's house to Santhosh's house	1.00	7715-A, Pg No. 4

Thus, by his above mentioned acts, has exhibited lack of integrity, has not shown devotion to duty and exhibited conduct which is unbecoming on part of Government Servant, in contravention of Rule-3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Hence the charge.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – II

STATEMENT OF THE IMPUTATION OF MISCONDUCT OR MISBHAVIOUR INSUPPORT OF EACH ARTICLE OF CHARGE FRAMED AGAINST SRI P. UMA MAHESWARA RAO, THE THEN PANCHAYAT SECRETARY, SARIKA GRAM PANCHAYAT, VIZIANAGARAM MANDAL, NOW WORKING AS EXTENTION OFFICER (PR&RD)., HUKUMPETA (M), VISAKHAPATNAM DISTRICT

Smt. Meesala Geeta, the then Hon'ble MLA, Vizianagaram Assembly Constituency, while enclosing a petition has requested to inquire into the misuse of Government funds in providing drinking water facility to Sarika Village in Vizianagaram District. Initially drinking water supply work was completed under BRGF funds at a cost of Rs.7.50 lakhs. Subsequently, the Sarpanch of Sarika village dismantled all the pipelines and again executed the same work at a cost of Rs.7,37,655/- by using the dismantled materials, thus causing gross misappropriation of funds. Accordingly, the V&E department conducted an inquiry.

The Vigilance and Enforcement Officials have conducted inquiry and furnished report vide Vigilance Report No. 21 (C.No. 1096/V&E/ENGG/2018), Dt:19-07-2022 and Government were requested to take action against the ofcials responsible for their irregularities shown in the abstract of recommendations of the DG (V&E) Report.

1. As per the findings during inquiry, two works i.e., a) Repairs to PWS scheme at Sarika village at a cost of Rs. 4.50 lakhs and b) Repairs to pipe line of PWS scheme at Sarika at a cost of Rs. 3.00 lakhs duly enclosing the estimates prepared by the RWS&S Engineers. The works were administratively sanctioned by the CEO, ZP, Vizianagaram. The EE, RWS, Vizianagaram accorded technical sanction for these works and entrusted these works on nomination basis to Sri B. Eswararao, Chairman, Village Works Committee, Sarika.

2. Sarika Gram Panchayat passed resolution on 28-11-2016 to provide new pipeline for existing PWS scheme.

3. The allegation initially a drinking water supply work was executed with a cost of Rs. 7.50 lakh under ZP grant and the same work was again executed with a cost of Rs. 7.37 lakh under GP grant was not substantiated. The said two works executed with ZP funds and GP funds were different components of drinking water supply scheme catering to different areas and they were not duplicate works.

4. The then Assistant Engineer, RWS&S, Vizianagaram prepared five estimates for one resolution passed by Sarika Gram Panchayat by subdividing the resolution as proceedings No. 5(1), 5(2) etc. The five works were estimated at a cost of Rs. 2.00 lakhs, Rs. 2.00 lakhs. Rs. 2.00 lakhs, Rs. 0.95 lakhs, Rs. 1.00 lakh. As verified from the records, administrative sanction was not accorded for these works but technical sanction was accorded by the Deputy Executive Engineer, RWS&S sub division, Vizianagaram on 06.07.2016 and 11.07.2016.

5. As per G.O. Ms. No. 91/PR&RD (Estt. II) Dept., Dt:04-03-1999, Gram Panchayats shall accord administrative sanction to civil works up to Rs.

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2.00 lakhs. Hence, it can be understood that both the Assistant Engineer & Deputy Executive Engineer intentionally split up the work into five smaller works with cost not exceeding Rs 2.00 lakhs so that the administrative sanction could be accorded by Gram Panchayat.

6. Certain procedural irregularities were observed.

7. Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat allowed payments to the contractor for the works sanctioned based on Gram Panchayat resolution. He did not obtain administrative sanction proceedings of the works executed.

8. Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat has stated that copy of gram panchayat resolution for carrying out the repairs to the PWS scheme was given to the Assistant Engineer but estimates were not received from the Assistant Engineer for according administrative sanction. They could not notice that the works were not administratively sanctioned due to heavy work load. Works were completed satisfactorily and payments were made accordingly.

They themselves accepted that due to heavy work load, they could not notice that the works were not administratively sanctioned. But they allowed payments to the contractor Panchayat Secretary being the "Executive Authority" was mainly responsible to see that the panchayat resolution were implemented as per rules and procedure in vogue. Action proposed as per Rule 22 of APCS (CCA) Rules 1991 for imposing minor penalty.

By the above mentioned acts/ facts, Sri P. Uma Maheswara Rao, the then Panchayat Secretary, Sarika Gram Panchayat, Vizianagaram Mandal, now working as Extension Officer (PR&RD)., Hukumpeta (M), Visakhapatnam District has clearly established negligence in his duties, has not shown devotion to duty and exhibited conduct which is unbecoming on part of a Government servant, in contravention of Rule-3 of APCS (Conduct) Rules, 1964. Hence the Charge.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

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ANNEXURE – III

LIST OF THE DOCUMENTS BY WHICH THE ARTICLE CHARGE FRAMED AGAINST SRI P. UMA MAHESWARA RAO, THE THEN PANCHAYAT SECRETARY, SARIKA GRAM PANCHAYAT, VIZIANAGARAM MANDAL, NOW WORKING AS EXTENTION OFFICER (PR&RD)., HUKUMPETA (M), VISAKHAPATNAM DISTRICT ARE PROPOSED TO BE SUSTAINED

1. The Director General, (Vig & Enft), General Administration (Vigilance & Enforcement) Department, Vigilance Report No. 21(C.No.1096/V&E /Engg/2018) Dt: 19.07.2022.

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI P. UMA MAHESWARA RAO, THE THEN PANCHAYAT SECRETARY, SARIKA GRAM PANCHAYAT, VIZIANAGARAM MANDAL, NOW WORKING AS EXTENTION OFFICER (PR&RD)., HUKUMPETA (M), VISAKHAPATNAM DISTRICT ARE PROPOSED TO BE SUSTAINED

-NIL-

B RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER